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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/531,223

04/13/2005

Ake Rydgren

9342-38

7824

54414

7590

03/13/2007

MYERS BIGEL SIBLEY & SAJOVEC, P.A.

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EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT

PAPER NUMBER

2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/13/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/531,223

Applicant(s)

RYDGREN ET AL.

Examiner

Naghmeh Mehrpour

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-22**, are rejected under 35 U.S.C. 102(e) as being anticipated by Dyer (US publication Number 2004/0198470 A1).

Regarding claims 1, 14, 21, Dyer teaches a headset system/device, comprising:

a headset for direct wireless communication of audio data with a communication terminal and including a first power supply unit (see figure 12, numeral 1210, section 0053);

a headset carrying device (figure 12, numeral 1250, section 0052); and

a charger for charging the first power supply unit from a second power supply unit, wherein the headset carrying device comprises the charger and the second power supply unit, wherein the headset carrying device is separate from the communication terminal **is separate from the communication terminal and is devoid of a holding member of chamber for holding the communication device** (see figures 6, and 7, 0036-0039, figure 12, sections 0052, 0053);

Regarding claim 2, Dyer teaches a headset system as recited in claim 1, wherein the headset carrying device comprises a protective casing for the headset stowed therein (0052, 0053).

Regarding claims 3, 17, Dyer teaches a headset system as recited in claim 1, wherein the headset carrying device (1250) comprises attaching means for attaching to a user's body or clothes (figure 12, section 0052).

Regarding claim 4, Dyer teaches a headset system as recited in claim 1, wherein the headset carrying device comprises attaching means for mechanically attaching the headset carrying device to a vehicle, and for electrically attaching the charger of the headset carrying device to a power supply of the vehicle (0046).

Regarding claim 5, Dyer teaches a headset system as recited in claim 1, wherein the first power supply unit is a re-chargeable battery (see figure 9, section 0041).

Regarding claim 6, Dyer teaches a headset system as recited in claim 1, wherein the first power supply unit is a large-capacity capacitor.

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Regarding claim 7, Dyer teaches a headset system as recited in claim 1, wherein the charger is a re-chargeable battery (0041, 0052, 0053).

Regarding claim 8, Dyer teaches a headset system as recited in claim 1, wherein the charger is a large-capacity capacitor.

Regarding claim 9, Dyer teaches a headset system as recited in claim 7, wherein the charger is connectable to a vehicle battery for recharging of the charger (0039, 0046).

Regarding claim 10, Dyer teaches a headset system as recited in claim 1, wherein the charger is a primary cell battery (0040-0043).

Regarding claim 11, Dyer teaches a headset system as recited in claim 1, wherein the first power supply unit is diminished to provide power for a short period of use of communicating audio data, converting between audio data and audio signals, and conveying audio signals, before re-charging is necessary (0010).

Regarding claim 12, Dyer teaches a headset system as recited in claim 11, wherein the short period is in the range of about zero to two hours (0010).

Regarding claim 13, Dyer teaches a headset system as recited in claim 11, wherein the short period is in the range of about thirty minutes to one hour (.).

Regarding claim 15, Dyer teaches a headset carrying device as recited in claim 14, further comprising a protective casing for a headset stowed therein (0010).

Regarding claim 16, Dyer teaches a headset carrying device as recited in claim 14, further comprising a casing for stowing a headset, wherein the casing is transformable into a desktop mode configured to position the device on a horizontal surface (0008, 0033).

Regarding claim 18, Dyer teaches a headset carrying device as recited in claim 14, further comprising attaching means for mechanically attaching the headset carrying device to a vehicle, and for electrically attaching the charger of the headset carrying device to a power supply of said vehicle (0036, 0041-0046).

Regarding claim 19, Dyer teaches a headset carrying device as recited in claim 14, further comprising headset securing means for mechanically retaining a headset stored therein (0032, 0050).

Regarding claim 20, Dyer teaches a headset carrying device as recited in claim 19, wherein the headset securing means is configured to maintain electrical contact between co-operating contacting means for the charger and the power supply unit (0036).

Regarding claim 22, Dyer teaches a headset system comprising:

a compact case sized and configured so that a boundary of the compact case substantially corresponds to a length and/or a width of the headset, the compact case having an elongated bore configured to receive a first portion of the headset and a lid pivotally hinged on the case and movable between an open and a closed position, the lid being configured to enclose a second portion of the headset when the lid is in the closed position (see figure 14, section 0055);

Response to Arguments

3. Applicant's arguments filed 11/27/06 have been fully considered but they are not persuasive.

In response to the applicant's argument that Dyer does not disclose new claim limitations.

The Examiner asserts that Dyer in figures 6-7, disclose a illustrates how headset 310 may be recharged while inside of holster 305. Recharger 605 includes recess 610 for inserting holster 305. Holster 305 includes a jack (not shown) or a similar device for making an electrical connection with recharger 605. When wireless headset 310 is in holster 305 and holster 305 is inserted in recharger 605, the batteries in both wireless headset 310 and integral dongle 405 may be recharged. Other embodiments of recharger 605 include additional recesses, e.g., for charging an

external device. In FIG. 7 illustrates wireless headset holder 705 with an integral dongle (not shown), a battery recharger (not shown) and an embodiment of wireless headset 310. FIG. 14 is a side view of carrying device 1215 holding external device 1215 and wireless headset 310.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. **Any responses to this action should be mailed to:**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naghmeh Mehrpour whose telephone number is 5571-272-791313. The examiner can normally be reached on 8:00 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro be reached (571) 272-7876.

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The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NM

February 20, 2007

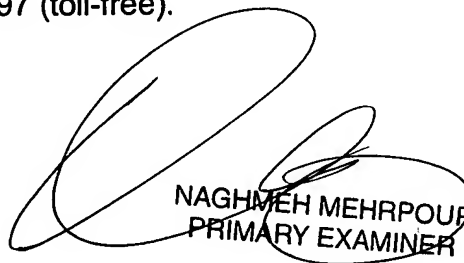
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NM

February 20, 2007



NAGHMEH MEHRPOUR
PRIMARY EXAMINER